

House Study Bill 679 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
HOUSE APPROPRIATIONS
SUBCOMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES)

A BILL FOR

1 An Act relating to and making appropriations involving state
2 government entities involved with agriculture, natural
3 resources, and environmental protection, making related
4 statutory changes, providing for eminent domain procedures,
5 and including effective and applicability date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
GENERAL APPROPRIATION FOR FY 2014-2015

Section 1. 2013 Iowa Acts, chapter 132, section 27, is amended to read as follows:

SEC. 27. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:

.....	\$	8,790,664
		<u>17,605,492</u>
.....	FTEs	372.00

2. Of the amount appropriated in subsection 1, the following amount is transferred to Iowa state university of science and technology, to be used for the university's midwest grape and wine industry institute:

.....	\$	119,000
		<u>238,000</u>

3. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated in this section to support the department's administration, regulation, and programs.

DESIGNATED APPROPRIATIONS
MISCELLANEOUS FUNDS

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GENERAL FUND

Sec. 4. 2013 Iowa Acts, chapter 132, section 30, is amended to read as follows:

SEC. 30. DAIRY REGULATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For purposes of performing functions pursuant to section 192.109, including conducting a survey of grade "A" milk and certifying the results to the secretary of agriculture:

.....	\$	94,598
		<u>189,196</u>

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 5. 2013 Iowa Acts, chapter 132, section 31, is amended to read as follows:

SEC. 31. LOCAL FOOD AND FARM PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For purposes of supporting the local food and farm program pursuant to chapter 267A:

.....	\$	37,500
		<u>75,000</u>

2. The department shall enter into a cost-sharing agreement with Iowa state university to support the local food and farm program coordinator position as part of the university's cooperative extension service in agriculture and home economics

1 pursuant to chapter 267A.

2 3. Notwithstanding section 8.33, moneys appropriated in
3 this section that remain unencumbered or unobligated at the
4 close of the fiscal year shall not revert but shall remain
5 available to be used for the purposes designated until the
6 close of the succeeding fiscal year.

7 Sec. 6. 2013 Iowa Acts, chapter 132, section 32, is amended
8 to read as follows:

9 SEC. 32. AGRICULTURAL EDUCATION. There is appropriated
10 from the general fund of the state to the department of
11 agriculture and land stewardship for the fiscal year beginning
12 July 1, 2014, and ending June 30, 2015, the following amount,
13 or so much thereof as is necessary, to be used for the purposes
14 designated:

15 1. For purposes of allocating moneys to an Iowa association
16 affiliated with a national organization which promotes
17 agricultural education providing for future farmers:

18	\$	12,500
19		<u>25,000</u>

20 2. Notwithstanding section 8.33, moneys appropriated for
21 the fiscal year beginning July 1, 2014, in this section that
22 remain unencumbered or unobligated at the close of the fiscal
23 year shall not revert but shall remain available to be used
24 for the purposes designated until the close of the succeeding
25 fiscal year.

26 Sec. 7. 2013 Iowa Acts, chapter 132, section 33, is amended
27 to read as follows:

28 SEC. 33. FARMERS WITH DISABILITIES PROGRAM.

29 1. There is appropriated from the general fund of the state
30 to the department of agriculture and land stewardship for the
31 fiscal year beginning July 1, 2014, and ending June 30, 2015,
32 the following amount, or so much thereof as is necessary, to be
33 used for the purposes designated:

34 For purposes of supporting a program for farmers with
35 disabilities:

1	\$	65,000
2		<u>130,000</u>

3 2. The moneys appropriated in subsection 1 shall be used for
4 the public purpose of providing a grant to a national nonprofit
5 organization with over 80 years of experience in assisting
6 children and adults with disabilities and special needs.

7 a. The moneys shall be used to support a nationally
8 recognized program that began in 1986 and has been replicated
9 in at least 30 other states, but which is not available through
10 any other entity in this state, and that provides assistance
11 to farmers with disabilities in all 99 counties to allow the
12 farmers to remain in their own homes and be gainfully engaged
13 in farming through provision of agricultural worksite and home
14 modification consultations, peer support services, services
15 to families, information and referral, and equipment loan
16 services.

17 b. Notwithstanding section 8.33, moneys appropriated in
18 this section that remain unencumbered or unobligated at the
19 close of the fiscal year shall not revert but shall remain
20 available for expenditure for the purposes designated until the
21 close of the succeeding fiscal year.

22 DIVISION II

23 GENERAL FUND

24 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

25 WATER QUALITY

26 APPROPRIATIONS FOR FY 2014-2015

27 Sec. 8. 2013 Iowa Acts, chapter 132, section 34, is amended
28 to read as follows:

29 SEC. 34. WATER QUALITY INITIATIVE — GENERAL.

30 1. There is appropriated from the general fund of the state
31 to the department of agriculture and land stewardship for the
32 fiscal year beginning July 1, 2014, and ending June 30, 2015,
33 the following amount, or so much thereof as is necessary, to be
34 used for the purposes designated:

35 For deposit in the water quality initiative fund created

1 in section 466B.45, as enacted by this Act, for purposes of
2 supporting the water quality initiative administered by the
3 soil conservation division as provided in section 466B.42, as
4 enacted by this Act, including salaries, support, maintenance,
5 miscellaneous purposes, and for not more than the following
6 full-time equivalent positions:

7	\$	4,400,000
8	FTEs	1.00
9			<u>2.00</u>

10 2. a. The moneys appropriated in subsection 1 shall be
11 used to support ~~reducing nutrients~~ projects in subwatersheds
12 as designated by the division that are part of high-priority
13 watersheds identified by the water resources coordinating
14 council established pursuant to section 466B.3. ~~In supporting~~
15 ~~reducing nutrients~~

16 b. The moneys appropriated in subsection 1 shall be used to
17 support projects in watersheds generally, including regional
18 watersheds, as designated by the division and high-priority
19 watersheds identified by the water resources coordinating
20 council established pursuant to section 466B.3.

21 2A. In supporting projects in subwatersheds, the division
22 shall establish and administer demonstration projects as
23 follows and watersheds as provided in subsection 2, all of the
24 following shall apply:

25 a. The demonstration projects shall utilize water quality
26 practices as described in the latest revision of the document
27 entitled "Iowa Nutrient Reduction Strategy" initially presented
28 in November 2012 by the department of agriculture and land
29 stewardship, the department of natural resources, and Iowa
30 state university of science and technology.

31 b. The division shall implement demonstration projects as
32 provided in paragraph "a" by providing for participation by
33 persons who hold a legal interest in agricultural land used in
34 farming. To every extent practical, the division shall provide
35 for collaborative participation by such persons who hold a

1 legal interest in agricultural land located within the same
2 subwatershed.

3 c. The division shall implement a demonstration project on
4 a cost-share basis as determined by the division. However, the
5 state's share of the amount shall not exceed 50 percent of the
6 estimated cost of establishing the practice as determined by
7 the division or 50 percent of the actual cost of establishing
8 the practice, whichever is less.

9 d. The demonstration projects shall be used to educate other
10 persons about the feasibility and value of establishing similar
11 water quality practices. The division shall promote field day
12 events for purposes of allowing interested persons to establish
13 water quality practices on their agricultural land.

14 e. The division shall conduct water quality evaluations
15 within supported subwatersheds. Within a reasonable period
16 after accumulating information from such evaluations,
17 the division shall create an aggregated database of water
18 quality practices. Any information ~~identifying a person~~
19 ~~holding a legal interest in agricultural land or specific~~
20 ~~agricultural land shall be a confidential record under section~~
21 22.7 received, collected, or held under this section is a
22 confidential record and is exempted from public access pursuant
23 to section 466B.49 as enacted by this 2014 Act.

24 3. The moneys appropriated in subsection 1 shall be used
25 to support education and outreach in a manner that encourages
26 persons who hold a legal interest in agricultural land used for
27 farming to implement water quality practices, including the
28 establishment of such practices in watersheds generally, and
29 not limited to subwatersheds or high-priority watersheds.

30 4. The moneys appropriated in subsection 1 may be used
31 to contract with persons to coordinate the implementation of
32 efforts provided in this section. Not more than \$150,000 shall
33 be used to support the administration of this section by a
34 full-time equivalent position.

35 5. Notwithstanding any other provision of law to the

1 contrary, the department may use moneys appropriated in
2 subsection 1 to carry out the provisions of this section on a
3 cost-share basis in combination with other moneys ~~appropriated~~
4 available to the department from ~~the environment first~~
5 ~~fund created in section 8.57A for cost sharing to match the~~
6 ~~United States department of agriculture, natural resources~~
7 ~~conservation service, wetland reserve enhancement program a~~
8 state or federal source.

9 Sec. 9. 2013 Iowa Acts, chapter 132, section 35, is amended
10 to read as follows:

11 SEC. 35. IOWA NUTRIENT RESEARCH CENTER.

12 1. There is appropriated from the general fund of the state
13 to Iowa state university of science and technology for the
14 fiscal year beginning July 1, 2014, and ending June 30, 2015,
15 the following amount, or so much thereof as is necessary, to be
16 used for the purposes designated:

17 For purposes of supporting an Iowa nutrient research center
18 as established in section 466B.47, as enacted in this Act:

19 \$ 750,000
20 1,500,000

21 2. Notwithstanding section 8.33, moneys appropriated in
22 this section that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert but shall remain
24 available for expenditure for the purposes designated until the
25 close of the fiscal year beginning July 1, 2015.

26 Sec. 10. 2013 Iowa Acts, chapter 132, section 36, is amended
27 to read as follows:

28 SEC. 36. WATER QUALITY INITIATIVE APPROPRIATIONS — FEDERAL
29 MONEYS. The department of agriculture and land stewardship,
30 and its soil conservation division, may use moneys appropriated
31 in this division of this Act to support the water quality
32 initiative, including its projects, as provided in this
33 division of this Act, in combination with other moneys provided
34 by the United States government.

35 DIVISION III

1 DEPARTMENT OF NATURAL RESOURCES
2 GENERAL APPROPRIATIONS FOR FY 2014-2015

3 Sec. 11. 2013 Iowa Acts, chapter 132, section 37, is amended
4 to read as follows:

5 SEC. 37. GENERAL FUND — DEPARTMENT.

6 1. There is appropriated from the general fund of the state
7 to the department of natural resources for the fiscal year
8 beginning July 1, 2014, and ending June 30, 2015, the following
9 amount, or so much thereof as is necessary, to be used for the
10 purposes designated:

11 For purposes of supporting the department, including its
12 divisions, for administration, regulation, and programs; for
13 salaries, support, maintenance, and miscellaneous purposes; and
14 for not more than the following full-time equivalent positions:
15 \$ ~~6,383,350~~
16 12,862,307
17 FTEs 1,145.95

18 2. Of the number of full-time equivalent positions
19 authorized to the department pursuant to subsection 1, 50.00
20 full-time equivalent positions shall be allocated by the
21 department for seasonal employees for purposes of providing
22 maintenance, upkeep, and sanitary services at state parks.
23 This subsection shall not impact park ranger positions within
24 the department.

25 3. The department shall submit a report each quarter of the
26 fiscal year to the legislative services agency, the department
27 of management, the members of the joint appropriations
28 subcommittee on agriculture and natural resources, and the
29 chairpersons and ranking members of the senate and house
30 committees on appropriations. The report shall describe in
31 detail the expenditure of moneys appropriated under this
32 section to support the department's administration, regulation,
33 and programs.

34 Sec. 12. 2013 Iowa Acts, chapter 132, section 38, is amended
35 to read as follows:

1 SEC. 38. STATE FISH AND GAME PROTECTION FUND — REGULATION
2 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

3 1. There is appropriated from the state fish and game
4 protection fund to the department of natural resources for the
5 fiscal year beginning July 1, 2014, and ending June 30, 2015,
6 the following amount, or so much thereof as is necessary, to be
7 used for the purposes designated:

8 For purposes of supporting the regulation or advancement of
9 hunting, fishing, or trapping, or the protection, propagation,
10 restoration, management, or harvest of fish or wildlife,
11 including for administration, regulation, law enforcement, and
12 programs; and for salaries, support, maintenance, equipment,
13 and miscellaneous purposes:

14 \$ 20,539,117
15 41,223,225

16 2. Notwithstanding section 455A.10, the department may use
17 the unappropriated balance remaining in the state fish and game
18 protection fund to provide for the funding of health and life
19 insurance premium payments from unused sick leave balances of
20 conservation peace officers employed in a protection occupation
21 who retire, pursuant to section 97B.49B.

22 3. Notwithstanding section 455A.10, the department of
23 natural resources may use the unappropriated balance remaining
24 in the state fish and game protection fund for the fiscal
25 year beginning July 1, 2014, and ending June 30, 2015, as is
26 necessary to fund salary adjustments for departmental employees
27 which the general assembly has made an operating budget
28 appropriation for in subsection 1.

29 Sec. 13. 2013 Iowa Acts, chapter 132, section 39, is amended
30 to read as follows:

31 SEC. 39. GROUNDWATER PROTECTION FUND — WATER QUALITY.

32 There is appropriated from the groundwater protection fund
33 created in section 455E.11 to the department of natural
34 resources for the fiscal year beginning July 1, 2014,
35 and ending June 30, 2015, from those moneys which are not

1 allocated pursuant to that section, the following amount, or
2 so much thereof as is necessary, to be used for the purposes
3 designated:

4 For purposes of supporting the department's protection
5 of the state's groundwater, including for administration,
6 regulation, and programs, and for salaries, support,
7 maintenance, equipment, and miscellaneous purposes:

8 \$ ~~1,727,916~~
9 3,455,832

10 DESIGNATED APPROPRIATIONS

11 MISCELLANEOUS FUNDS

12 Sec. 14. 2013 Iowa Acts, chapter 132, section 40, is amended
13 to read as follows:

14 SEC. 40. SPECIAL SNOWMOBILE FUND — SNOWMOBILE PROGRAM.

15 There is appropriated from the special snowmobile fund created
16 under section 321G.7 to the department of natural resources for
17 the fiscal year beginning July 1, 2014, and ending June 30,
18 2015, the following amount, or so much thereof as is necessary,
19 to be used for the purpose designated:

20 For purposes of administering and enforcing the state
21 snowmobile programs:

22 \$ 50,000
23 100,000

24 Sec. 15. 2013 Iowa Acts, chapter 132, section 41, is amended
25 to read as follows:

26 SEC. 41. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE

27 TANK SECTION EXPENSES. There is appropriated from the
28 unassigned revenue fund administered by the Iowa comprehensive
29 underground storage tank fund board to the department of
30 natural resources for the fiscal year beginning July 1, 2014,
31 and ending June 30, 2015, the following amount, or so much
32 thereof as is necessary, to be used for the purpose designated:

33 For purposes of paying for administration expenses of the
34 department's underground storage tank section:

35 \$ ~~100,000~~

200,000

SPECIAL APPROPRIATIONS

GENERAL FUND

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4 Sec. 16. 2013 Iowa Acts, chapter 132, section 42, is amended
5 to read as follows:

6 SEC. 42. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

7 1. There is appropriated from the general fund of the state
8 to the department of natural resources for the fiscal year
9 beginning July 1, 2014, and ending June 30, 2015, the following
10 amount, or so much thereof as is necessary, to be used for the
11 purpose designated:

12 For purposes of supporting floodplain management and dam
13 safety:

14 \$ ~~1,000,000~~
15 2,000,000

16 2. Of the amount appropriated in subsection 1, up to
17 ~~\$340,000~~ \$400,000 may be used by the department to acquire or
18 install stream gages for purposes of tracking and predicting
19 flood events and for compiling necessary data to improve flood
20 frequency analysis.

21 3. Notwithstanding section 8.33, moneys appropriated in
22 subsection 1 that remain unencumbered or unobligated at the
23 close of the fiscal year shall not revert but shall remain
24 available for expenditure for the purposes designated until the
25 close of the succeeding fiscal year.

26 Sec. 17. 2013 Iowa Acts, chapter 132, section 43, is amended
27 to read as follows:

28 SEC. 43. FORESTRY HEALTH MANAGEMENT.

29 1. There is appropriated from the general fund of the state
30 to the department of natural resources for the fiscal year
31 beginning July 1, 2014, and ending June 30, 2015, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purposes designated:

34 For purposes of providing for forestry health management
35 programs:

1	\$	100,000
2		<u>200,000</u>

3 2. Notwithstanding section 8.33, moneys appropriated in
4 this section that remain unencumbered or unobligated at the
5 close of the fiscal year shall not revert but shall remain
6 available to be used for the purposes designated until the
7 close of the succeeding fiscal year.

8 Sec. 18. 2013 Iowa Acts, chapter 132, section 44, is amended
9 to read as follows:

10 SEC. 44. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.

11 1. There is transferred from the general fund of the state
12 to the loess hills development and conservation fund created in
13 section 161D.2 for the fiscal year beginning July 1, 2014, and
14 ending June 30, 2015, the following amount, or so much thereof
15 as is necessary, to be used for the purposes designated:

16 For supporting the purposes of the fund:

17	\$	37,500
18		<u>75,000</u>

19 2. a. Of the amount transferred in subsection 1, ~~\$28,125~~
20 \$56,250 shall be allocated to the fund's hungry canyons
21 account.

22 b. Not more than 10 percent of the moneys allocated to the
23 hungry canyons account as provided in paragraph "a" may be used
24 for administrative costs.

25 3. a. Of the amount transferred in subsection 1, ~~\$9,375~~
26 \$18,750 shall be allocated to the fund's loess hills alliance
27 account.

28 b. Not more than 10 percent of the moneys allocated to the
29 loess hills alliance account as provided in paragraph "a" may
30 be used for administrative costs.

31 4. Moneys deposited to the loess hills development and
32 conservation fund and its accounts for the fiscal year are
33 appropriated to the authority to be used as provided by law.

34 DIVISION IV
35 IOWA STATE UNIVERSITY

1 SPECIAL GENERAL FUND APPROPRIATION FOR FY 2014-2015

2 Sec. 19. 2013 Iowa Acts, chapter 132, section 45, is amended
3 to read as follows:

4 SEC. 45. VETERINARY DIAGNOSTIC LABORATORY.

5 1. There is appropriated from the general fund of the state
6 to Iowa state university of science and technology for the
7 fiscal year beginning July 1, 2014, and ending June 30, 2015,
8 the following amount, or so much thereof as is necessary, to be
9 used for the purposes designated:

10 For purposes of supporting the college of veterinary
11 medicine for the operation of the veterinary diagnostic
12 laboratory and for not more than the following full-time
13 equivalent positions:

14	\$	1,881,318
15		<u>4,000,000</u>
16	FTEs	<u>50.00</u>
17		<u>51.00</u>

18 2. a. Iowa state university of science and technology
19 shall not reduce the amount that it allocates to support the
20 college of veterinary medicine from any other source due to the
21 appropriation made in this section.

22 b. Paragraph "a" does not apply to a reduction made to
23 support the college of veterinary medicine, if the same
24 percentage of reduction imposed on the college of veterinary
25 medicine is also imposed on all of Iowa state university's
26 budget units.

27 3. If by June 30, 2015, Iowa state university of science and
28 technology fails to allocate the moneys appropriated in this
29 section to the college of veterinary medicine in accordance
30 with this section, the moneys appropriated in this section for
31 that fiscal year shall revert to the general fund of the state.

32 DIVISION V

33 ENVIRONMENT FIRST FUND

34 GENERAL APPROPRIATIONS FOR FY 2014-2015

35 Sec. 20. 2013 Iowa Acts, chapter 132, section 47, is amended

1 to read as follows:

2 SEC. 47. DEPARTMENT OF AGRICULTURE AND LAND

3 STEWARDSHIP. There is appropriated from the environment first
4 fund created in section 8.57A to the department of agriculture
5 and land stewardship for the fiscal year beginning July 1,
6 2014, and ending June 30, 2015, the following amounts, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:

9 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

10 a. For the conservation reserve enhancement program to
11 restore and construct wetlands for the purposes of intercepting
12 tile line runoff, reducing nutrient loss, improving water
13 quality, and enhancing agricultural production practices:

14 \$ 500,000
15 1,000,000

16 b. Not more than 10 percent of the moneys appropriated
17 in paragraph "a" may be used for costs of administration and
18 implementation of soil and water conservation practices.

19 c. Notwithstanding any other provision in law, the
20 department may provide state resources from this appropriation,
21 in combination with other appropriate environment first
22 fund appropriations, for cost sharing to match United States
23 department of agriculture, natural resources conservation
24 service, wetlands reserve enhancement program (WREP) funding
25 available to Iowa.

26 2. WATERSHED PROTECTION

27 a. For continuation of a program that provides
28 multiobjective resource protections for flood control, water
29 quality, erosion control, and natural resource conservation:

30 \$ 450,000
31 900,000

32 b. Not more than 10 percent of the moneys appropriated
33 in paragraph "a" may be used for costs of administration and
34 implementation of soil and water conservation practices.

35 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

1 a. For continuation of a statewide voluntary farm
2 management demonstration program to demonstrate the
3 effectiveness and adaptability of emerging practices in
4 agronomy that protect water resources and provide other
5 environmental benefits:

6 \$ ~~312,500~~
7 625,000

8 b. Not more than 10 percent of the moneys appropriated
9 in paragraph "a" may be used for costs of administration and
10 implementation of soil and water conservation practices.

11 c. Of the amount appropriated in paragraph "a", ~~\$200,000~~
12 \$400,000 shall be allocated to an organization representing
13 soybean growers to provide for an agriculture and environment
14 performance program in order to carry out the purposes of this
15 subsection as specified in paragraph "a".

16 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

17 For use by the department for costs of administration and
18 implementation of soil and water conservation practices:

19 \$ ~~1,275,000~~
20 2,550,000

21 5. CONSERVATION RESERVE PROGRAM (CRP)

22 a. To encourage and assist farmers in enrolling in and the
23 implementation of the federal conservation reserve program and
24 to work with them to enhance their revegetation efforts to
25 improve water quality and habitat:

26 \$ ~~500,000~~
27 1,000,000

28 b. Not more than 10 percent of the moneys appropriated
29 in paragraph "a" may be used for costs of administration and
30 implementation of soil and water conservation practices.

31 6. SOIL AND WATER CONSERVATION

32 a. For use by the department in providing for soil and
33 water conservation administration, the conservation of soil and
34 water resources, or the support of soil and water conservation
35 district commissioners:

1	\$ 3,325,000
2	<u>7,375,000</u>

3 b. Not more than 5 percent of the moneys appropriated in
 4 paragraph "a" may be allocated for cost sharing to address
 5 complaints filed under section 161A.47.

6 c. Of the moneys appropriated in paragraph "a", 5 percent
 7 shall be allocated for financial incentives to establish
 8 practices to protect watersheds above publicly owned lakes of
 9 the state from soil erosion and sediment as provided in section
 10 161A.73.

11 d. Not more than 30 percent of a soil and water conservation
 12 district's allocation of moneys as financial incentives may be
 13 provided for the purpose of establishing management practices
 14 to control soil erosion on land that is row cropped, including
 15 but not limited to no-till planting, ridge-till planting,
 16 contouring, and contour strip-cropping as provided in section
 17 161A.73.

18 e. The state soil conservation committee established by
 19 section 161A.4 may allocate moneys appropriated in paragraph
 20 "a" to conduct research and demonstration projects to promote
 21 conservation tillage and nonpoint source pollution control
 22 practices.

23 f. The allocation of moneys as financial incentives as
 24 provided in section 161A.73 may be used in combination with
 25 moneys allocated by the department of natural resources.

26 g. Not more than 15 percent of the moneys appropriated
 27 in paragraph "a" may be used for costs of administration and
 28 implementation of soil and water conservation practices.

29 h. In lieu of moneys appropriated in section 466A.5,
 30 not more than ~~\$25,000~~ \$50,000 of the moneys appropriated in
 31 paragraph "a" shall be used by the soil conservation division
 32 of the department of agriculture and land stewardship to
 33 provide administrative support to the watershed improvement
 34 review board established in section 466A.3.

35 i. The department may use not more than \$375,000 of the

1 moneys appropriated in paragraph "a" to support urban soil
2 and water conservation efforts, which may include but is not
3 limited to management practices related to bio-retention,
4 landscaping, the use of permeable pavement, and soil quality
5 restoration. The moneys shall be allocated on a cost-share
6 basis as provided in chapter 161A.

7 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

8 a. For deposit in the loess hills development and
9 conservation fund created in section 161D.2:

10 \$ 262,500
11 800,000

12 b. (1) Of the amount appropriated in paragraph "a",
13 ~~\$196,875~~ \$600,000 shall be allocated to the fund's hungry
14 canyons account.

15 (2) Not more than 10 percent of the moneys allocated to the
16 hungry canyons account as provided in subparagraph (1) may be
17 used for administrative costs.

18 c. (1) Of the amount appropriated in paragraph "a", ~~\$65,625~~
19 \$200,000 shall be allocated to the fund's loess hills alliance
20 account.

21 (2) Not more than 10 percent of the moneys allocated to the
22 loess hills alliance account as provided in subparagraph (1)
23 may be used for administrative costs.

24 8. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND

25 For deposit in the agricultural drainage well water quality
26 assistance fund created in section 460.303 to be used for
27 purposes of supporting the agricultural drainage well water
28 quality assistance program as provided in section 460.304:

29 \$ 550,000

30 9. SILOS AND SMOKESTACKS

31 For purposes of supporting the silos and smokestacks
32 national heritage area to provide continued agricultural
33 education and preservation:

34 \$ 200,000

35 Sec. 21. 2013 Iowa Acts, chapter 132, section 48, is amended

1 to read as follows:

2 SEC. 48. DEPARTMENT OF NATURAL RESOURCES. There is
3 appropriated from the environment first fund created in section
4 8.57A to the department of natural resources for the fiscal
5 year beginning July 1, 2014, and ending June 30, 2015, the
6 following amounts, or so much thereof as is necessary, to be
7 used for the purposes designated:

8 1. KEEPERS OF THE LAND

9 For statewide coordination of volunteer efforts under the
10 water quality and keepers of the land programs:

11 \$ 50,000
12 100,000

13 2. STATE PARKS MAINTENANCE AND OPERATIONS

14 For regular maintenance and operations of state parks and
15 staff time associated with these activities:

16 \$ ~~3,180,000~~
17 4,610,000

18 3. GEOGRAPHIC INFORMATION SYSTEM (GIS)

19 To provide local watershed managers with geographic
20 information system data for their use in developing,
21 monitoring, and displaying results of their watershed work:

22 \$ 97,500
23 195,000

24 4. WATER QUALITY MONITORING

25 For continuing the establishment and operation of water
26 quality monitoring stations:

27 \$ ~~1,477,500~~
28 2,955,000

29 5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

30 For deposit in the public water supply system account of the
31 water quality protection fund created in section 455B.183A:

32 \$ ~~250,000~~
33 500,000

34 6. REGULATION OF ANIMAL FEEDING OPERATIONS

35 For the regulation of animal feeding operations, including

1 as provided for in chapters 459 through 459B:

2 \$ 660,000
3 1,320,000

4 7. AMBIENT AIR QUALITY

5 For the abatement, control, and prevention of ambient
6 air pollution in this state, including measures as necessary
7 to assure attainment and maintenance of ambient air quality
8 standards from particulate matter:

9 \$ 212,500
10 425,000

11 8. WATER QUANTITY REGULATION

12 For regulating water quantity from surface and subsurface
13 sources by providing for the allocation and use of water
14 resources, the protection and management of water resources,
15 and the preclusion of conflicts among users of water resources,
16 including as provided in chapter 455B, division III, part 4:

17 \$ 247,500
18 495,000

19 9. GEOLOGICAL AND WATER SURVEY

20 For continuing the operations of the department's geological
21 and water survey including but not limited to providing
22 analysis, data collection, investigative programs, and
23 information for water supply development and protection:

24 \$ 100,000
25 200,000

26 10. KEEP IOWA BEAUTIFUL INITIATIVE

27 For purposes of supporting a keep Iowa beautiful initiative
28 in order to assist communities in developing and implementing
29 beautification and community development plans:

30 \$ 100,000
31 200,000

32 Sec. 22. 2013 Iowa Acts, chapter 132, section 49, is amended
33 to read as follows:

34 SEC. 49. REVERSION.

35 1. Notwithstanding Except as provided in subsection 2,

1 and notwithstanding section 8.33, moneys appropriated for the
2 fiscal year beginning July 1, 2014, in this division of this
3 Act that remain unencumbered or unobligated at the close of the
4 fiscal year shall not revert but shall remain available to be
5 used for the purposes designated until the close of the fiscal
6 year beginning July 1, 2015, or until the project for which the
7 appropriation was made is completed, whichever is earlier.

8 2. Notwithstanding section 8.33, moneys appropriated for
9 the fiscal year beginning July 1, 2014, in this division of
10 this Act to the department of agriculture and land stewardship
11 to provide financial assistance for the establishment of
12 permanent soil and water conservation practices that remain
13 unencumbered or unobligated at the close of the fiscal year
14 shall not revert but shall remain available for expenditure
15 for the purposes designated until the close of the fiscal year
16 beginning July 1, 2017.

17 DIVISION VI

18 ENVIRONMENT FIRST FUND

19 SPECIAL APPROPRIATION FOR FY 2014-2015

20 Sec. 23. 2013 Iowa Acts, chapter 132, is amended by adding
21 the following new section:

22 NEW SECTION. SEC. 64. REAP — IN LIEU OF GENERAL FUND
23 APPROPRIATION. Notwithstanding the amount of the standing
24 appropriation from the general fund of the state to the Iowa
25 resources enhancement and protection fund as provided in
26 section 455A.18, there is appropriated from the environment
27 first fund created in section 8.57A to the Iowa resources
28 enhancement and protection fund, in lieu of the appropriation
29 made in section 455A.18, for the fiscal year beginning July 1,
30 2014, and ending June 30, 2015, the following amount, to be
31 allocated as provided in section 455A.19:

32 \$ 16,000,000

33 DIVISION VII

34 SOIL AND WATER CONSERVATION PRACTICES

35 REVERSION OF APPROPRIATIONS FOR FY 2013-2014

1 activities:

2 \$ 250,000

3 2. The moneys appropriated in subsection 1 shall be expended
4 on or after the effective date of this division of this Act
5 prior to the expenditure of any unobligated moneys remaining in
6 the open spaces account.

7 3. Notwithstanding section 455A.19, subsection 2, any
8 moneys appropriated in this section that remain unexpended
9 or unobligated at the close of the fiscal year beginning
10 July 1, 2013, shall revert to the Iowa resources enhancement
11 and protection fund created pursuant to section 455A.18 for
12 allocation to accounts other than the open spaces account as
13 provided in section 455A.19.

14 Sec. 26. EFFECTIVE UPON ENACTMENT. This division of this
15 Act, being deemed of immediate importance, takes effect upon
16 enactment.

17 DIVISION IX

18 REAP — OPEN SPACES ACCOUNT

19 SPECIAL APPROPRIATIONS FOR FY 2014-2015

20 Sec. 27. 2013 Iowa Acts, chapter 132, is amended by adding
21 the following new section:

22 NEW SECTION. SEC. 66. SPECIAL APPROPRIATIONS.

23 1. Notwithstanding section 455A.19, subsection 1, paragraph
24 "a", there is appropriated from the open spaces account of
25 the Iowa resources enhancement and protection fund to the
26 department of natural resources for the fiscal year beginning
27 July 1, 2014, and ending June 30, 2015, the following amount,
28 or so much thereof as is necessary, to be used for the purposes
29 designated:

30 a. For purposes of supporting the regular maintenance and
31 operations of state parks and staff time associated with these
32 activities:

33 \$ 1,000,000

34 b. For purposes of providing for forestry health management
35 programs:

1 \$ 300,000

2 2. The moneys appropriated in subsection 1 shall be expended
3 on or after the effective date of this division of this Act
4 prior to the expenditure or obligation of any moneys allocated
5 to the account on or after the effective date of this division
6 of this Act.

7 3. Notwithstanding section 455A.19, subsection 2, any
8 moneys appropriated in this section that remain unexpended
9 or unobligated at the close of the fiscal year beginning
10 July 1, 2014, shall revert to the Iowa resources enhancement
11 and protection fund created pursuant to section 455A.18 for
12 allocation to accounts other than the open spaces account as
13 provided in section 455A.19.

14 DIVISION X

15 RELATED STATUTORY CHANGES

16 DNR — PURCHASE OF RADIOS

17 Sec. 28. 2011 Iowa Acts, chapter 128, section 19, subsection
18 1, as amended by 2012 Iowa Acts, chapter 1135, section 15, as
19 amended by 2013 Iowa Acts, chapter 132, section 51, is amended
20 to read as follows:

21 SEC. 19. USE OF MONEYS — RADIOS.

22 1. Notwithstanding 2010 Iowa Acts, chapter 1191, section 7,
23 the department of natural resources may use the unappropriated
24 balance remaining in the state fish and game protection fund
25 for the fiscal year beginning July 1, 2010, and ending June
26 30, 2011, to purchase mobile radios to meet federal and state
27 requirements for homeland security and public safety. This
28 section applies to those moneys in the fund that are not
29 otherwise used, obligated, or encumbered for payment of health
30 and life insurance premium payments for conservation peace
31 officer retirements for that fiscal year. The department may
32 use such moneys until June 30, ~~2014~~ 2015.

33 Sec. 29. EFFECTIVE UPON ENACTMENT. This division of this
34 Act, being deemed of immediate importance, takes effect upon
35 enactment.

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DIVISION XIV

RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014 LOESS HILLS
AUTHORITY AND ALLIANCE

Sec. 39. NEW SECTION. 161D.9 **Oversee or manage public or private land — referendum.**

1. The loess hills development and conservation authority or the board of directors of the loess hills alliance shall not execute any agreement with a local government or the state or federal government, if the agreement allows the authority or alliance to oversee or manage public or private land situated within the loess hills area, unless the question to oversee or manage such land is approved by a referendum of eligible voters asked to answer either "yes" or "no". An eligible voter must be an individual who is a citizen of the United States, not less than eighteen years of age, and the owner of land located within twenty-five miles from the borders of the land that the authority or alliance proposes to oversee or manage.

2. a. The board of directors of the alliance shall provide notice of the referendum to eligible voters by publication in the same manner provided in section 331.305. A copy of the notice shall also be sent by ordinary mail to the last known mailing address of each eligible voter. The notice shall provide eligible voters with all information necessary to cast a vote at a reasonable time and a reasonable manner.

b. The board of directors of the alliance may conduct the referendum by mail, electronic means, or a general meeting of eligible voters. The board of directors shall conduct the referendum and count and tabulate the ballots cast during the referendum within thirty days following the close of the referendum.

c. If the voters disapprove the question, an additional referendum on the same question shall not be conducted.

3. This section shall not be construed to increase the authority of the alliance provided in this chapter.

Sec. 40. NEW SECTION. 161D.10 **Rules.**

1 The board of directors of the alliance shall adopt all rules
2 necessary to administer this subchapter.

3 Sec. 41. EFFECTIVE UPON ENACTMENT. This division of this
4 Act, being deemed of immediate importance, takes effect upon
5 enactment.

6 DIVISION XV

7 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014

8 EMINENT DOMAIN

9 Sec. 42. NEW SECTION. **6A.15 Property on state historic**
10 **registry.**

11 1. Property listed on the state register of historic places
12 maintained by the historical division of the department of
13 cultural affairs shall not be removed from the register solely
14 for the purpose of allowing acquisition of the property by
15 condemnation, unless such condemnation is undertaken by the
16 department of transportation.

17 2. Property listed on the state register of historic places
18 maintained by the historical division of the department of
19 cultural affairs shall not be condemned by the state or a
20 political subdivision unless a joint resolution authorizing
21 commencement of the condemnation proceedings is approved by a
22 vote of at least two-thirds of the members of both chambers of
23 the general assembly and signed by the governor. The approval
24 requirements of this subsection shall not apply to condemnation
25 undertaken by the department of transportation.

26 Sec. 43. Section 6A.19, Code 2014, is amended to read as
27 follows:

28 **6A.19 Interpretative clause.**

29 A grant in this chapter of right to take private property
30 for a public use shall not be construed as limiting a like
31 grant elsewhere in the Code for another and different use.
32 Unless specifically provided by law, this chapter shall not
33 be construed to limit or otherwise affect the application of
34 chapters 478 and 479 to the eminent domain authority of the
35 utilities division of the department of commerce.

1 Sec. 44. Section 6A.22, subsection 2, paragraph c,
2 subparagraph (1), Code 2014, is amended to read as follows:

3 (1) (a) If private property is to be condemned for
4 development or creation of a lake, only that number of acres
5 justified as reasonable and necessary for a surface drinking
6 water source, and not otherwise acquired, may be condemned.
7 In addition, the acquiring agency shall conduct a review of
8 prudent and feasible alternatives to provision of a drinking
9 water source prior to making a determination that such
10 lake development or creation is reasonable and necessary.

11 Development or creation of a lake as a surface drinking water
12 source includes all of the following:

13 (i) Construction of the dam, including sites for suitable
14 borrow material and the auxiliary spillway.

15 (ii) The water supply pool.

16 (iii) The sediment pool.

17 (iv) The flood control pool.

18 (v) The floodwater retarding pool.

19 (vi) The surrounding area upstream of the dam no higher in
20 elevation than the top of the dam's elevation.

21 (vii) The appropriate setback distance required by state or
22 federal laws and regulations to protect drinking water supply.

23 (b) For purposes of this subparagraph (1), "*number of acres*
24 *justified as reasonable and necessary for a surface drinking*
25 *water source*" means according to guidelines of the United
26 States natural resource conservation service and according to
27 analyses of ~~surface~~ drinking water capacity needs conducted by
28 one or more registered professional engineers. The registered
29 professional engineers may, if appropriate, employ standards
30 or guidelines other than the guidelines of the United States
31 natural resource conservation service when determining the
32 number of acres justified as reasonable and necessary for
33 a surface drinking water source. The data and information
34 used by the registered professional engineers shall include
35 data and information relating to population and commercial

1 enterprise activity for the area from the two most recent
2 federal decennial censuses unless the district court of the
3 county in which the property is situated has determined by
4 a preponderance of the evidence that such data would not
5 accurately predict the population and commercial enterprise
6 activity of the area in the future.

7 (c) A second review or analysis of the drinking water
8 capacity needs shall be performed upon receipt by the acquiring
9 agency of a petition signed by not less than twenty-five
10 percent of the affected property owners. The registered
11 professional engineer to perform the second review or analysis
12 shall be selected by a committee appointed by the affected
13 property owners and whose membership is comprised of at
14 least fifty percent property owners affected by the proposed
15 condemnation action. The acquiring agency shall be responsible
16 for paying the fees and expenses of such an engineer.

17 (d) If private property is to be condemned for development
18 or creation of a lake, the plans, analyses, applications,
19 including any application for funding, and other planning
20 activities of the acquiring agency shall not include or provide
21 for the use of the lake for recreational purposes.

22 Sec. 45. Section 6B.54, subsection 10, paragraph a, Code
23 2014, is amended by adding the following new subparagraph:

24 NEW SUBPARAGRAPH. (3) Reasonable attorney fees and
25 reasonable costs not to exceed one hundred thousand dollars,
26 attributable to a determination that the creation of a lake
27 through condemnation includes a future recreational use or that
28 a violation of section 6A.22, subsection 2, paragraph "c",
29 subparagraph (l), subparagraph division (d), has occurred, if
30 such fees and costs are not otherwise provided under section
31 6B.33.

32 Sec. 46. NEW SECTION. **6B.56B Disposition of condemned**
33 **property — two-year time period.**

34 1. When two years have elapsed since property was condemned
35 for the creation of a lake according to the requirements of

1 section 6A.22, subsection 2, paragraph "c", subparagraph (1),
2 and the property has not been used for or construction has
3 not progressed substantially from the date the property was
4 condemned for the purpose stated in the application filed
5 pursuant to section 6B.3, and the acquiring agency has not
6 taken action to dispose of the property pursuant to section
7 6B.56, the acquiring agency shall, within sixty days, adopt a
8 resolution offering the property for sale to the prior owner
9 at a price as provided in section 6B.56. If the resolution
10 adopted approves an offer of sale to the prior owner, the offer
11 shall be made in writing and mailed by certified mail to the
12 prior owner. The prior owner has one hundred eighty days after
13 the offer is mailed to purchase the property from the acquiring
14 agency.

15 2. If the acquiring agency has not adopted a resolution
16 described in subsection 1 within the sixty-day time period, the
17 prior owner may, in writing, petition the acquiring agency to
18 offer the property for sale to the prior owner at a price as
19 provided in section 6B.56. Within sixty days after receipt of
20 such a petition, the acquiring agency shall adopt a resolution
21 described in subsection 1. If the acquiring agency does not
22 adopt such a resolution within sixty days after receipt of the
23 petition, the acquiring agency is deemed to have offered the
24 property for sale to the prior owner.

25 3. The acquiring agency shall give written notice to the
26 owner of the right to purchase the property under this section
27 at the time damages are paid to the owner.

28 Sec. 47. Section 403.7, subsection 1, unnumbered paragraph
29 1, Code 2014, is amended to read as follows:

30 A municipality shall have the right to acquire by
31 condemnation any interest in real property, including a fee
32 simple title thereto, which it may deem necessary for or in
33 connection with an urban renewal project under this chapter,
34 subject to the limitations on eminent domain authority
35 in ~~chapter~~ chapters 6A and 6B. However, a municipality

1 shall not condemn agricultural land included within an
2 economic development area for any use unless the owner of
3 the agricultural land consents to condemnation or unless the
4 municipality determines that the land is necessary or useful
5 for any of the following:

6 Sec. 48. NEW SECTION. **423B.11 Use of revenues —**
7 **limitation.**

8 The revenue raised by a local sales and services tax imposed
9 under this chapter by a county shall not be expended for any
10 purpose related to a project that includes the condemnation of
11 private property for the creation of a lake according to the
12 requirements of section 6A.22, subsection 2, paragraph "c",
13 subparagraph (1), if the local sales and services tax has not
14 been approved at election in the area where the property to be
15 condemned is located.

16 Sec. 49. Section 455A.5, Code 2014, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 7. The authority granted to the commission
19 to acquire real property for purposes of carrying out a
20 duty related to development or maintenance of the recreation
21 resources of the state, including planning, acquisition, and
22 development of recreational projects, and areas and facilities
23 related to such projects, shall not include the authority to
24 acquire real property by eminent domain.

25 Sec. 50. Section 456A.24, subsection 2, unnumbered
26 paragraph 1, Code 2014, is amended to read as follows:

27 Acquire by purchase, ~~condemnation~~, lease, agreement,
28 gift, and devise lands or waters suitable for the purposes
29 hereinafter enumerated, and rights-of-way thereto, and to
30 maintain the same for the following purposes, ~~to wit~~:

31 Sec. 51. Section 456A.24, Code 2014, is amended by adding
32 the following new subsection:

33 NEW SUBSECTION. 15. The authority granted the department
34 to acquire real property for any statutory purpose relating to
35 the development or maintenance of the recreation resources of

1 the state, including planning, acquisition, and development
2 of recreational projects, and areas and facilities related to
3 such projects, shall not include the authority to acquire real
4 property by eminent domain.

5 Sec. 52. Section 461A.7, Code 2014, is amended to read as
6 follows:

7 **461A.7 ~~Eminent domain~~ Purchase of lands — public parks.**

8 The commission may purchase ~~or condemn~~ lands from willing
9 sellers for public parks. ~~No~~ A contract for the purchase of
10 such public parks shall not be made to an amount in excess of
11 funds appropriated therefor by the general assembly.

12 Sec. 53. Section 461A.10, Code 2014, is amended to read as
13 follows:

14 **461A.10 Title to lands.**

15 The title to all lands purchased, ~~condemned,~~ or donated,
16 hereunder, for park ~~or highway~~ purposes and the title to all
17 lands purchased, condemned, or donated hereunder for highway
18 purposes, shall be taken in the name of the state and if
19 thereafter it shall be deemed advisable to sell any portion of
20 the land so purchased or condemned, the proceeds of such sale
21 shall be placed to the credit of the ~~said~~ public state parks
22 fund to be used for such park purposes.

23 Sec. 54. Section 463C.8, subsection 1, paragraph k, Code
24 2014, is amended to read as follows:

25 *k.* The power to acquire, own, hold, administer, and dispose
26 of property, except that such power is not a grant of authority
27 to acquire property by eminent domain.

28 Sec. 55. 2013 Iowa Acts, chapter 132, is amended by adding
29 the following new section:

30 NEW SECTION. SEC. 75. REPEAL. Sections 461A.9 and 461A.75,
31 Code 2014, are repealed.

32 Sec. 56. SEVERABILITY. If any provision of this division of
33 this Act is held invalid, the invalidity shall not affect other
34 provisions or applications of this division of this Act which
35 can be given effect without the invalid provision, and to this

1 end the provisions of this division of this Act are severable
2 as provided in section 4.12.

3 Sec. 57. EFFECTIVE UPON ENACTMENT. This division of this
4 Act, being deemed of immediate importance, takes effect upon
5 enactment.

6 Sec. 58. APPLICABILITY. Except as otherwise provided in
7 this division of this Act, this division of this Act applies to
8 projects or condemnation proceedings pending or commenced on or
9 after the effective date of this division of this Act.

10 Sec. 59. RETROACTIVE APPLICABILITY. Notwithstanding any
11 provision of law to the contrary, the following provision or
12 provisions of this division of this Act apply retroactively to
13 projects or condemnation proceedings pending or commenced on or
14 after February 15, 2013:

15 1. The section of this division of this Act amending section
16 6A.22.

17 2. The section of this division of this Act enacting section
18 6B.56B.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 GENERAL. This bill relates to agriculture and natural
23 resources by making appropriations for the 2014-2015 fiscal
24 year to support related entities, including the department of
25 agriculture and land stewardship (DALs), the department of
26 natural resources (DNR), and Iowa state university (ISU).

27 DALs — GENERAL FUND APPROPRIATION. For DALs, moneys are
28 appropriated from the general fund in order to support its
29 administrative divisions. Moneys are transferred to Iowa state
30 university to support its midwest grape and wine institute.

31 DALs — MISCELLANEOUS FUNDS APPROPRIATIONS. The bill
32 appropriates moneys from a number of sources to support DALs
33 in order to support designated purposes, including moneys
34 derived from unclaimed winnings from horse and dog races,
35 for administration and enforcement of racing regulations

1 (Code section 99D.22); and moneys from the renewable fuel
2 infrastructure fund, for purposes of motor fuel inspection and
3 auditing biofuel processing and production (Code chapter 214A).

4 DALS — SPECIAL GENERAL FUND APPROPRIATIONS. The bill makes
5 special appropriations from the general fund to DALS in order
6 to support specific purposes including milk inspection (Code
7 section 192.109), the local food and farm program (Code chapter
8 267A), an agricultural education organization, and assistance
9 to farmers with disabilities.

10 DALS — WATER QUALITY INITIATIVE. Moneys are appropriated
11 from the general fund for deposit in a water quality initiative
12 fund for purposes of supporting a water quality initiative
13 administered by DALS' soil conservation division and ISU.

14 DNR — GENERAL FUND AND OTHER MAJOR FUNDS APPROPRIATIONS.
15 The bill makes appropriations from a number of funds to DNR in
16 order to support its administrative divisions involving natural
17 resources and environmental protection from the general fund
18 of the state, the state fish and game protection fund, and the
19 groundwater protection fund.

20 DNR — DESIGNATED MISCELLANEOUS FUNDS APPROPRIATIONS. The
21 bill appropriates moneys to DNR from a number of sources to
22 support designated purposes, including moneys deposited in the
23 special snowmobile fund (Code section 321G.7) to provide for
24 administering and enforcing the state snowmobile programs; and
25 moneys deposited in the unassigned revenue fund for purposes
26 of paying for administration of the department's underground
27 storage tank section.

28 DNR — SPECIAL GENERAL FUND APPROPRIATIONS. The bill also
29 makes special appropriations from the general fund to DNR
30 in order to support specific purposes including floodplain
31 management and dam safety, and forestry health management
32 programs. Moneys are also transferred from the general fund to
33 the loess hills development and conservation fund.

34 ISU — SPECIAL GENERAL FUND APPROPRIATIONS. The bill
35 appropriates moneys from the general fund to ISU to support the

1 operation of its veterinary diagnostic laboratory.

2 DALS AND DNR — GENERAL ENVIRONMENT FIRST FUND. The bill
3 appropriates moneys from the environment first fund to DALS
4 and DNR. For DALS, moneys are appropriated to support the
5 conservation reserve enhancement program, a farm management
6 demonstration program, the conservation reserve program; soil
7 and water conservation efforts, the loess hills development and
8 conservation fund, and the agricultural drainage well water
9 quality assistance fund. For DNR, moneys are appropriated to
10 support keepers of the land; the maintenance of state parks;
11 geographic information systems; water quality monitoring; the
12 public water supply system account; the regulation of animal
13 feeding operations; ambient air quality regulation; water
14 quality regulation; the operation of DNR's geological and water
15 survey; the keep Iowa beautiful initiative; and the silos and
16 smokestacks national heritage area.

17 The bill provides that moneys appropriated to DALS for FY
18 2014 and FY 2015 to support soil and water conservation do not
19 revert until the close of the fourth fiscal year after the
20 appropriation was made.

21 RESOURCE ENHANCEMENT AND PROTECTION (REAP). The amount
22 of \$16 million is appropriated from the environment first
23 fund for FY 2014-2015 in lieu of the \$20 million standing
24 appropriation from the general fund (Code section 455A.18). A
25 special appropriation is made from REAP's open spaces account
26 for FY 2013-2014 and FY 2014-2015. The appropriation for FY
27 2013-2014 is for purposes of supporting regular maintenance
28 and operations of state parks and the appropriation for
29 FY 2014-2015 is made for purposes of supporting regular
30 maintenance and operations of state parks forestry health
31 management programs.

32 DNR PURCHASE OF RADIOS. The bill extends the period for
33 one year that DNR is authorized to purchase radios using the
34 unappropriated balance remaining in the state fish and game
35 fund.

1 MANURE MANAGEMENT CERTIFICATION. The bill extends for
2 another fiscal year the period when DNR may expend money
3 appropriated for FY 2013-2014 in order to implement an online
4 certification program for manure applicators. The provision is
5 effective upon enactment.

6 STATUTORY CHANGES — REAP'S OPEN SPACES ACCOUNT. The bill
7 prohibits DNR from exercising eminent domain power in acquiring
8 land using moneys allocated to REAP's open spaces account.

9 STATUTORY CHANGES — WATER QUALITY INITIATIVE. The bill
10 provides that information received, collected, or held by the
11 Iowa nutrient research center or a nonprofit organization
12 acting under the water quality initiative (Code chapter 466B,
13 subchapter IV) is a confidential record and exempted from
14 public access under the public records law.

15 STATUTORY CHANGES — LOESS HILLS DEVELOPMENT AND
16 CONSERVATION. The bill prohibits the loess hills development
17 and conservation authority or board of directors of the loess
18 hills alliance from executing any agreement with a local
19 government or the state or federal government that allows the
20 authority or alliance to oversee or manage public or private
21 land unless approved by a referendum of persons holding land
22 in proximity to the land proposed to be overseen or managed.
23 The board is also required to adopt rules to administer its
24 responsibilities.

25 STATUTORY CHANGES — EMINENT DOMAIN PROCEDURES.

26 GENERAL. The bill includes a division that makes changes
27 relating to eminent domain authority and procedures.

28 STATE REGISTER OF HISTORIC PLACES. The bill provides that
29 property listed on the state register of historic places shall
30 not be removed from the register solely for the purpose of
31 allowing the property to be acquired by condemnation unless the
32 condemnation is undertaken by the department of transportation.
33 The bill also provides that property on the state register
34 of historic places shall not be condemned unless a joint
35 resolution authorizing the condemnation is approved by a vote

1 of at least two-thirds of each chamber of the general assembly
2 and signed by the governor. This approval procedure, however,
3 does not apply to a condemnation undertaken by the department
4 of transportation.

5 UTILITIES DIVISION. The bill specifies that Code chapter
6 6A, unless specifically provided by law, is not to be construed
7 to limit or otherwise affect the application of Code chapters
8 478 and 479 providing eminent domain authority to the utilities
9 division of the department of commerce.

10 LAKES — GENERAL. The bill makes changes relating to eminent
11 domain authority in relation to development or creation of
12 a lake. The bill provides that when determining the number
13 of acres justified as reasonable and necessary for a surface
14 drinking water source, the registered professional engineers
15 may, if appropriate, employ standards or guidelines other
16 than the guidelines of the United States natural resource
17 conservation service. The bill requires the data and
18 information used by the registered professional engineers
19 to include data and information relating to population and
20 commercial enterprise activity for the area from the two most
21 recent federal decennial censuses unless the district court of
22 the county in which the property is situated has determined
23 by a preponderance of the evidence that such data would not
24 accurately predict the population and commercial enterprise
25 activity of the area in the future.

26 LAKES — DRINKING WATER. The bill also provides that a
27 second review or analysis of the drinking water capacity needs
28 shall be performed upon receipt by the acquiring agency of a
29 petition signed by not less than 25 percent of the affected
30 property owners. The registered professional engineer to
31 perform the second review or analysis shall be selected by
32 a committee appointed by the affected property owners and
33 comprised of at least 50 percent property owners affected by
34 the proposed condemnation action. The bill further provides
35 that the acquiring agency shall pay for the services of such

1 an engineer.

2 LAKES — RECREATIONAL PURPOSES LIMITED. The bill provides
3 that if private property is to be condemned for development
4 or creation of a lake, the plans, analyses, applications,
5 including any application for funding, and other planning
6 activities of the acquiring agency shall not include or provide
7 for the use of the lake for recreational purposes.

8 LAKES — ATTORNEY FEES. The bill adds reasonable attorney
9 fees and reasonable costs that are attributable to certain
10 condemnation proceedings relating to the creation of a lake,
11 up to \$100,000, to the list of expenses reimbursable by an
12 acquiring agency to a property owner.

13 LAKES — RESALE TO PRIOR OWNER. The bill provides that
14 when two years have elapsed since property was condemned for
15 the creation of a lake and the property has not been used
16 for or construction has not progressed substantially for the
17 purpose stated in the application, and the acquiring agency
18 has not taken action to dispose of the property pursuant to
19 Code section 6B.56, the acquiring agency shall, within 60
20 days, adopt a resolution offering the property for sale to the
21 prior owner at a price as provided in Code section 6B.56. If
22 the acquiring agency has not adopted a resolution within the
23 60-day time period, the prior owner may petition the acquiring
24 agency to offer the property for sale to the prior owner at a
25 price as provided in Code section 6B.56. The bill requires the
26 acquiring agency to give written notice to the owner at the
27 time damages are paid to the owner of the right to purchase the
28 property under such circumstances.

29 LAKES — LOCAL SALES AND SERVICES TAX. The bill provides
30 that the revenue raised by a local sales and services tax
31 imposed under Code chapter 423B by a county shall not be
32 expended for any purpose related to a project that includes
33 the condemnation of private property for the creation of a
34 lake if the local sales and services tax has not been approved
35 at election in the area where the property to be condemned is

1 located.

2 URBAN RENEWAL. The bill also amends urban renewal law
3 relating to the circumstances in which a municipality may
4 condemn agricultural land within an economic development urban
5 renewal area to provide that condemnation may occur if viable
6 alternatives do not exist and the acquisition of the land is
7 necessary for the purposes stated in current law.

8 RECREATIONAL USES LIMITED. The bill provides that DNR and
9 the natural resource commission shall not exercise eminent
10 domain authority to acquire real property for purposes of
11 carrying out a duty related to development or maintenance of
12 the recreation resources of the state, including planning,
13 acquisition, and development of recreational projects,
14 and areas and facilities related to such projects. The
15 bill retains DNR's authority to acquire property through
16 condemnation for highway purposes.

17 The bill's division takes effect upon enactment and the
18 provisions amending Code section 6A.22 and enacting Code
19 section 6B.56B apply retroactively to projects or condemnation
20 proceedings pending or commenced on or after February 15, 2013.